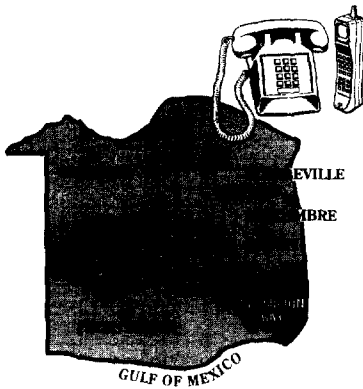


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CC MAIL ROOM



KAPLAN *Telephone Company, Inc.*

PACE *Cellular Communications*

EX PARTE OR LATE FILED

November 11, 1997

Office of the Secretary
Federal Communications Commission
CC Dkt 96-45
Room 222
1919 M Street, NW
Washington, D.C. 20554


Dear Secretary:

Please find enclosed ETC designation for Kaplan Telephone Co., Inc. This is a copy of the original sent to Kaplan Telephone.

If you have any questions, please contact me at 318-643-7171.

Sincerely,

Sincerely,



Richard J. Constantin

Richard J. Constantin

Encl.

of 1000s rec'd

RECEIVED

NOV 17 1997

KAPLAN TELEPHONE C

RECEIVED

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INITIAL
☐ BRENDA
☐ RICHARD
☐ TAMMY
☐ CARL
☐ TONEY
☐ LCT
☐

BEFORE THE LOUISIANA PUBLIC SERVICE COMMISSION
 EX PARTE

Docket No. U-22760
 Kaplan Telephone Company, Inc., ex parte.

KAPLAN, LA.

In Re: Exemption from the Provision of Toll Limitation to Qualified Low Income Consumers and Designation and Certification as an Eligible Telecommunications Carrier.

**ORDER NO. U-22760
 (Decided at the October 22, 1997 Open Session)**

Section 254(e) of the Telecommunications Act mandates that a telecommunications carrier may not receive funds from the Federal Universal Service Fund after January 1, 1998, unless it is designated as an eligible telecommunications carrier (ETC) under section 214(e) [of the Telecommunications Act] by the state public service commission.¹ 47 U.S.C. § 214(e)(1) provides that only those carriers who offer and advertise *all* of the services supported by the Federal Universal Service Fund are eligible for ETC designation.²

However, 47 C.F.R. § 54.101(c) allows state commissions to grant requesting carriers additional time to complete any network upgrades that are necessary in order to provide single-party service, access to enhanced 911 service, or toll limitation, if exceptional circumstances warrant granting the additional time. Therefore, a carrier that does not currently provide these three services may receive universal service support, beginning January 1, 1998, for the duration of the period designated by the state commission while system upgrades are completed.

Kaplan Telephone Company, Inc. ("Kaplan") petitioned this Commission for certification as an Eligible Telecommunications Carrier, without intervention. Kaplan submitted an affidavit declaring that it provides all of the required universal services except toll limitation.³ Kaplan requested additional time in order to upgrade its system to comply with this requirement.

This matter was brought before the Louisiana Public Service Commission at its Open Session on October 22, 1997. After discussion on the merits and a motion by Commissioner Dixon, seconded by Commissioner Sittig, the Commission unanimously voted to designate the above named carrier as an Eligible Telecommunications Carrier. The Commission further voted to grant the carrier additional time to comply with the toll limitation requirement and that exceptional circumstances warranted the granting of additional time.

¹ 47 U.S.C. § 214(e)(2) mandates that a state commission, upon its own motion or upon request, designate a common carrier, that meets the above requirements, as an eligible telecommunications carrier for a service area designated by the State commission.

² The supported services are: 1) Single-Party Service; 2) Voice Grade Access to the Public Switched Network; 3) DTMF Signaling or its functional equivalent; 4) Access to Emergency Services; 5) Access to Operator Services;

IT IS THEREFORE ORDERED THAT:

1. Kaplan be designated as an eligible telecommunications carrier for the Kaplan, Forked Island, and Pecan Island exchanges, pursuant to 47 U.S.C. § 214(e).
2. Kaplan be granted an extension of time until December 31, 1998 to upgrade its system to provide toll limitation.
3. Exceptional circumstances warrant the granting of said extension of time.
4. This Order is effective immediately.

IT IS SO ORDERED

**BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA**

November 6, 1997

/S/ DON OWEN
DON OWEN, CHAIRMAN
DISTRICT V

/S/ IRMA MUSE DIXON
IRMA MUSE DIXON, VICE-CHAIRMAN
DISTRICT III

/S/ C. DALE SITTIG
C. DALE SITTIG, COMMISSIONER
DISTRICT IV

/S/ JAMES M. FIELD
JAMES M. FIELD, COMMISSIONER
DISTRICT II


SECRETARY

/S/ JACK "JAY" A. BLOSSMAN, JR.
JACK "JAY" A. BLOSSMAN, JR., COMMISSIONER
DISTRICT I